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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,499	02/08/2002	Neil M. Wolfman	8702.0100-00	3454
60949 7590 03/05/2007 WYETH/FINNEGAN HENDERSON, LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER WOODWARD, CHERIE MICHELLE	
			ART UNIT 1647	PAPER NUMBER
			MAIL DATE 03/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/071,499	WOLFMAN ET AL.	
	Examiner	Art Unit	
	Cherie M. Woodward	1647	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 12 January 2007 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☒ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

Applicant's submission of the signed Oath of all inventors in the filing of 12 January 2007 is acknowledged. However, the change of inventorship cannot be accepted as timely filed because one of the signatures of the inventors was missing at the time the Rule 312 Amendment was filed and the Issue fee paid (see Response of 3 January 2007). Applicant's submission of the signed Oath of all inventors was filed on 12 January 2007, but did not contain a Petition Request or appropriate fee as required by 37 CFR 1.48. Applicant's corrected Oath was received AFTER a Response to Rule 312 Communication was sent out by the Examiner on 3 January 2007. Thus, although the submission of the signed Oath of all inventors is noted, it is not considered timely.

Applicant may withdraw the Application from Issue to correct the inventorship OR Applicant may file a Certificate of Correction after issue to correct inventorship.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cherie M. Woodward whose telephone number is (571) 272-3329. The examiner can normally be reached on Monday - Thursday 9:00am-7:30pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on (571) 272-0961. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CMW

AU 1647

Marianne P. Allen

MARIANNE P. ALLEN
PRIMARY EXAMINER

AU 1647

3/1/07